IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 23RD MAY 2007 / 2ND JYAISHTA 1929

Bail Appl..No. 3057 of 2007()

CMP.2949/2007 of J.M.F.C.-I,NEYYATINKARA
CRIME NO.275/07 OF NEYYATINKARA POLICE STATION

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: PETITIONER/ACCUSED:

NESAYYAN, AGED 47, S/O.PONNOOS,
VINEESH BHAVAN, OTTATHENGUVILA,
KALLIDANTHI, VADAKARA DESOM,
PERUMKADAVILA VILLAGE.

BY ADV. SRI.R.T.PRADEEP

RESPONDENTS: COMPLAINANT:

STATE OF KERALA, REPRESENTED BY THE
DIRECTOR GENERAL OF PROSECUTION,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 3057 OF 2007

Dated this the 23rd day of May, 2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner, who is the accused in Crime No.275/07 of Neyyattinkara Police Station for offences punishable under Secs.8 (1) and 8(2) of the Abkari Act for having been found in possession of 750 ml. of illicit arrack, seeks his enlargement on bail. Petitioner was arrested on 10.5.07.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner but only with effect from a future date. Accordingly, the petitioner is directed to be released on bail with effect from 28.5.07 on his executing a bond for Rs.20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-I, Neyyattinkara and subject to the following conditions:

a. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

b. The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

c. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

d. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

(V. RAMKUMAR, JUDGE)

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